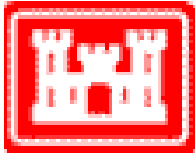


# PUBLIC NOTICE



US ARMY CORPS  
OF ENGINEERS

OMAHA DISTRICT

APPLICANT: SIGNATURE HOMES LLC  
APPLICATION NO: 200430363

WATERWAY: WETLAND

ISSUE DATE: JULY 8, 2005  
EXPIRATION DATE: JULY 29, 2005

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Regulatory Office, 28563 Powerhouse Rd, Room 118, Pierre, SD 57501  
<https://www.nwo.usace.army.mil/html/od-rsd/frame.html>

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**21-DAY NOTICE**

## JOINT NOTICE OF PERMIT PENDING

US ARMY CORPS OF ENGINEERS  
AND  
SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

The application of, Signature Homes LLC, Sioux Falls, South Dakota, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, US Army Engineer District, Omaha, Nebraska.

The applicant requests authorization to perform site-grading activities in waters of the United States (wetland/tributaries) in connection with a subdivision development (Oxford Heights Addition to the City of Sioux Falls). The project is located in Section 12, Township 100 North, Range 50 West, latitude 43-29-50.9007, longitude 96-41-39.0020, Lincoln County, South Dakota.

The proposed project will consist of grading the site to desired elevation and contours for the construction of building lots, streets and utilities. The affected waterway will include a seasonally flooded wetland and two ephemeral streams. A total of 4.16 acres of wetland will be filled by the project construction and an additional 0.12 acres of ephemeral stream will be filled. The applicant is proposing compensatory mitigation for the adverse wetland impact. The mitigation plan is in the preliminary planning and design stages. The wetland mitigation design will consider or incorporate enhancement, establishment, protection/maintenance of the wetlands and wetland buffer to achieve a 2:1 mitigation ratio. The proposed wetland mitigation site will be located off the proposed project site and is located north of Worthing, South Dakota, in the Northeast Quarter of Section 5, Township 98 North, Range 50 West, Lincoln County, South Dakota.

The purpose of the project is to develop a residential subdivision to include segments for business/commercial and single-family facilities.

Omaha District will comply with the National Historic Preservation Act of 1966, as amended. We have checked the National Register of Historic Places and "its current supplements," and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area or check for unknown historic properties, if warranted.

In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general the needs and welfare of the people. In addition, the evaluation of the impacts of the project on public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the US Army Corps of Engineers, South Dakota Regulatory Office, 28563 Powerhouse Road, Room 118, Pierre, South Dakota 57501.

Any interested party (particularly officials of any town, city, county, state, Federal agency, Indian Tribe, or local association whose interests may be affected by the proposed work) is invited to submit to this office, written facts, arguments, or objections on or before July 29, 2005. Any agency or individual having an objection to the proposed work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application. All replies to the public notice should be addressed to the address listed in the previous paragraph. Carolyn Kutz, telephone number (605) 224-8531, may be contacted for additional information.

Comments received after the close of the business day on the expiration date of this public notice will not be considered.

This project, if authorized, will be under the provisions of under the provisions of Section 404 of the Clean Water Act.

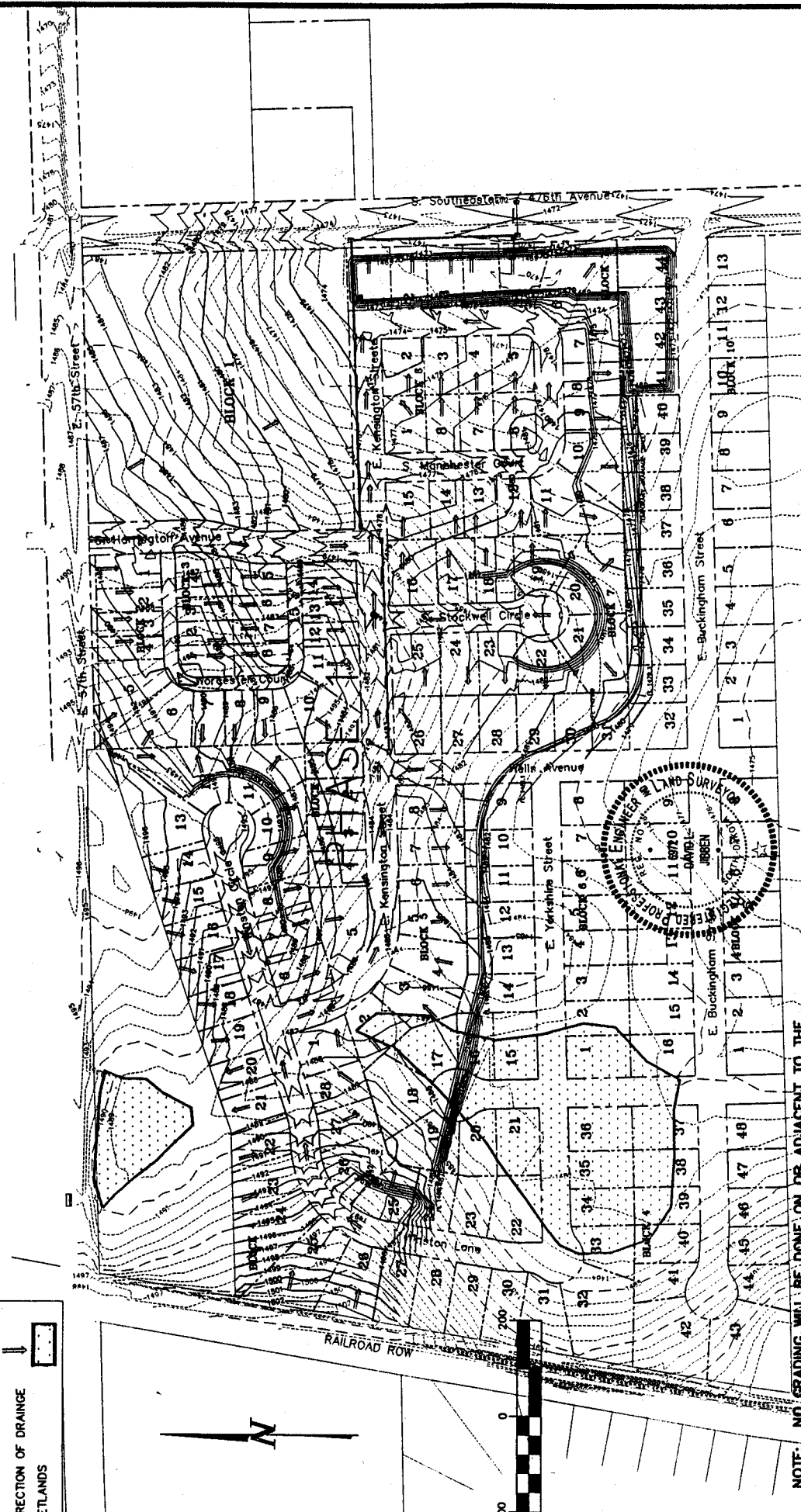
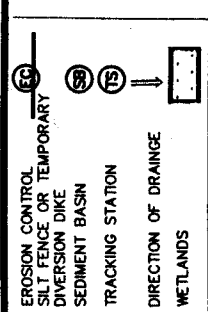
Drawings showing the location and extent of the work are attached to this notice.

**IN:** Wetlands, Ephemeral Stream  
**AT:** Section 12, T100N, R50W  
**COUNTY:** Lincoln  
**DATE:** 7/8/2005  
**SHEET** 1 of 4

NOI PERMIT # SDR10B871

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MOST CURRENT STANDARD SPECIFICATIONS AND ENGINEERING DESIGN STANDARDS OF THE CITY OF SIOUX FALLS.

NOTE: NO GRADING WILL BE DONE ON OR ADJACENT TO THE WETLANDS UNTIL A 404 PERMIT HAS BEEN ISSUED.



NOTE: NO GRADING WILL BE DONE ON OR ADJACENT TO THE WETLANDS UNTIL A 404 PERMIT HAS BEEN ISSUED.

**JSA**

CONSULTING ENGINEERS/LAND SURVEYORS, INC.  
3700 S. WEST AVENUE, SIOUX FALLS, SD 57105-6352  
(605) 367-1036 FAX (605) 367-1002

REVISIONS	
Rev.	Date
1	11/20/10
2	11/20/10
3	11/20/10
4	11/20/10

OXFORD ESTATES ADDITION  
PHASE 1 - FINAL GRADING PLAN / EROSION CONTROL  
DATE: 4-2005  
DESIGNED BY: DJJ  
DRAWN BY: CRW  
CHECKED BY: DJJ  
PROJECT: 2005102  
DRAWING: 60051-02.dwg

Sheet No.  
1

PURPOSE: Residential Subdivision  
APPLICATION BY: Signature Homes LLC  
APPLICATION NO. 200430363

IN: Wetlands, Ephemeral Stream  
AT: Section 12, T100N, R50W  
COUNTY: Lincoln  
DATE: 7/8/2005  
SHEET 2 of 4

57TH

1480

1470

1470

1500

○ 2nd outlet for 0.78 acre wetland for conveyance to waters of the U.S.

Wetland inlet conveyance

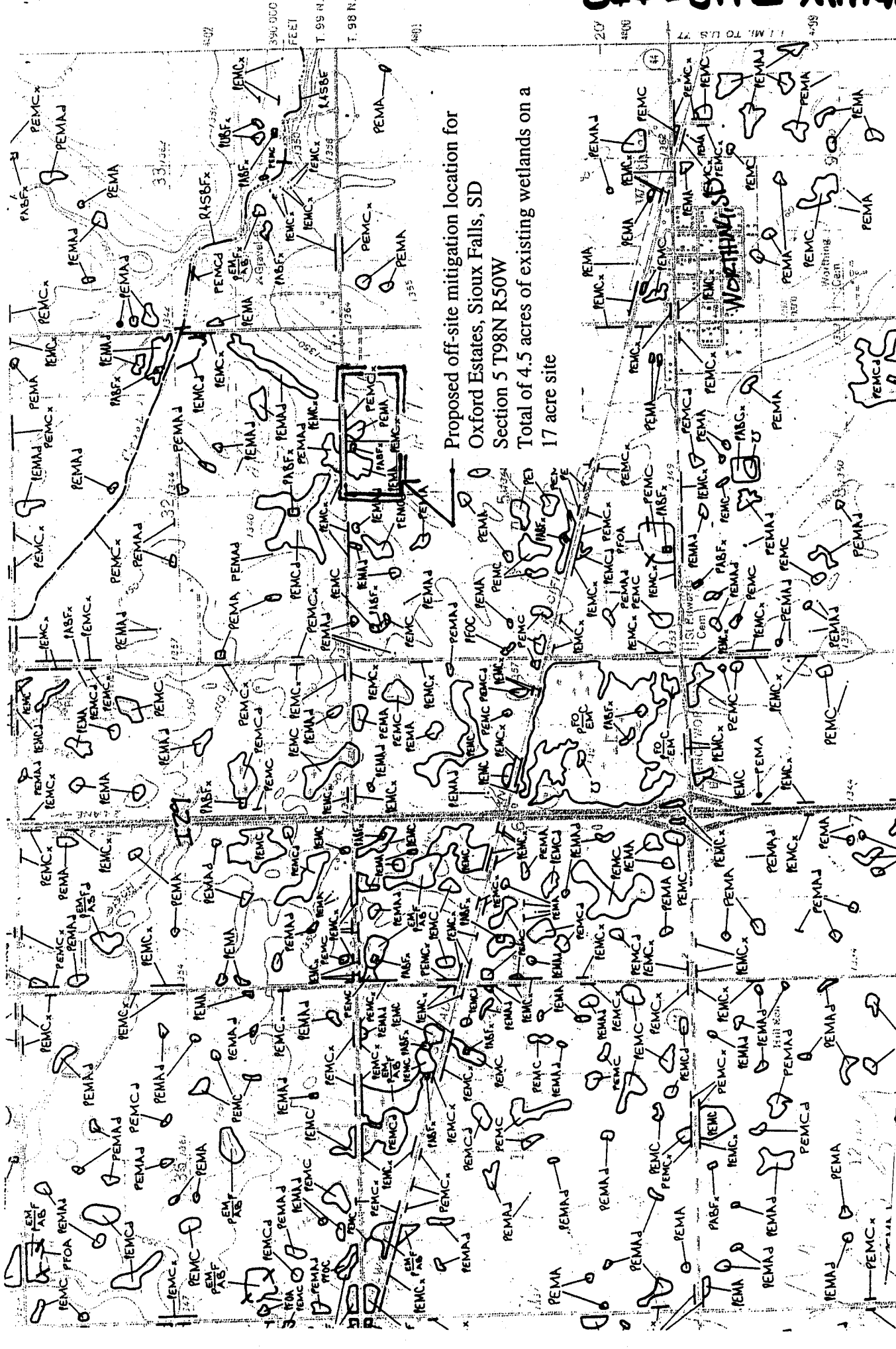
4.16 Acre Wetland

Wetland outlet conveyance

Not to Scale

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IN: Wetlands, Ephemeral Stream  
AT: Section 12, T100N, R50W  
COUNTY: Lincoln  
DATE: 7/8/2005  
SHEET 3 of 4



Proposed off-site mitigation location for  
Oxford Estates, Sioux Falls, SD  
Section 5 T98N R50W  
Total of 4.5 acres of existing wetlands on a  
17 acre site

PURPOSE: Residential Subdivision  
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IN: Wetlands, Ephemeral Stream  
AT: Section 12, T100N, R50W  
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SHEET 4 of 4

PEMAJ